

## II. REFUGEES

*This section presents information on persons who are admitted to the United States because of persecution abroad, including the number and characteristics of persons applying, approved, arriving, and adjusting to lawful permanent resident status.*

**A** refugee is an alien outside the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution. (See Appendix 3, p. A.3-9.)

Claims of persecution must be based on race, religion, nationality, membership in a particular social group, or political opinion.<sup>1</sup> Persons within their country of nationality may be treated as refugees, provided that the President, after consultation with Congress, declares that they are of special humanitarian concern to the United States. The definition of refugee set forth in the Immigration and Nationality Act, as amended by the Refugee Act of 1980, (see Appendix 1, p. A.1-18) conforms to the 1967 United Nations Protocol on Refugees.

### U.S. Refugee Program

The United States first recognized refugees for entry into the country in fiscal year 1946. After that time many different refugee programs were enacted on an ad hoc basis, including the Displaced Persons Act (see Appendix 1, p. A.1-10) and the Cuban and Indochinese Refugee Adjustment Acts. During the first decade of refugee programs, virtually all refugees entered the United States as immigrants. Since 1957, most refugees either have been paroled into the United States under special authority granted to the Attorney General by the Immigration and Nationality Act, or have entered in a statutory refugee status, to be adjusted to lawful permanent resident status at a later date.

Chart F depicts initial refugee admissions and adjustments to lawful permanent resident status for the period 1946-97. This graph demonstrates the time lag between initial admission and adjustment to immigrant status. At the

onset of parole programs there generally were no mechanisms for adjustment to permanent status, thus creating a recurring need for special legislation. The Refugee Act of 1980 addressed this situation by providing for routine adjustment of status by refugees one year after arrival.

### Admission ceilings

At the beginning of each fiscal year, the President, after consultation with Congress to review the worldwide refugee situation, determines the number of refugees in need of resettlement who are of special humanitarian concern to the United States. The President then establishes the authorized number of admissions for that fiscal year. During the year, changes in the need for resettlement may require revisions in the overall limit on refugee admissions or reallocation among areas of the world. The admission ceiling of 78,000 for 1997 was established and later reallocated among geographic regions as follows:

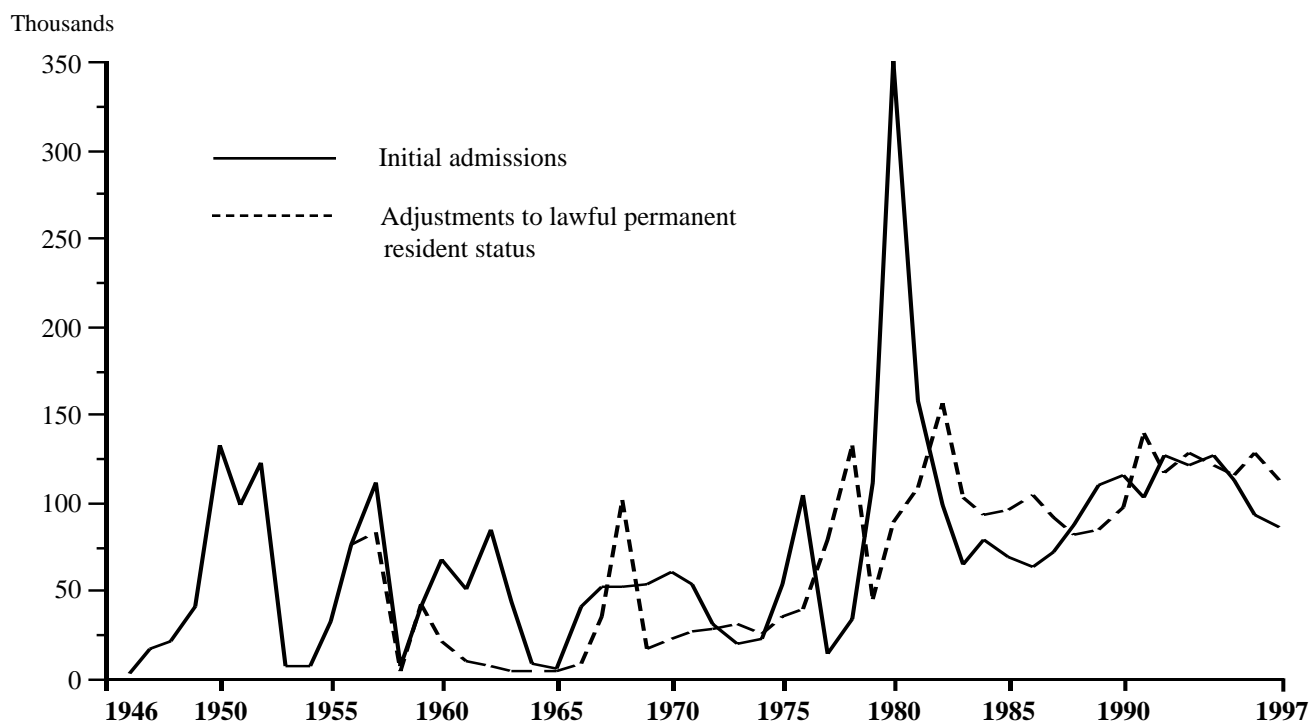
Geographic region of origin	Initial ceiling	Final ceiling
<b>Total .....</b>	<b>78,000</b>	<b>78,000</b>
Africa .....	7,000	7,000
East Asia .....	10,000	10,000
Eastern Europe / Soviet Union (fmr.)	48,000	52,500
Latin America / Caribbean .....	4,000	4,000
Near East / South Asia .....	4,000	4,500
Unallocated, funded .....	5,000	-

- Represents zero.

The authorized admission levels set the maximum number of refugees allowed to enter the United States in a fiscal year from each of the geographic areas of chargeability. The authorized ceiling was lowered from 90,000 in 1996 to 78,000 in 1997, continuing a downward trend since the peak of 142,000 in 1992. An unallocated funded reserve of 5,000 was placed in the 1997 ceiling to allow for small increases in one or more areas as needed without subtracting refugee numbers from other areas.

<sup>1</sup> The Illegal Immigration Reform and Individual Responsibility Act of 1996, enacted September 30, 1996, Sec. 601, stipulates that a person qualifies as a refugee or asylee persecuted for political opinion if forced to undergo, has a well-founded fear of being compelled to undergo, or resists a coercive population-control procedure. Also, the Act set a combined annual ceiling of 1,000 persons who may be granted refugee or asylee status under this provision.

**Chart F**  
**Refugee and Asylee Initial Admissions and Adjustments to Lawful Permanent Resident Status: Fiscal Years 1946-97**



Major refugee programs

1949-53	Displaced Persons Act	1978-84	Indochinese Refugee Adjustment Act	3/75-3/80	Indochinese refugees paroled
1954-57	Refugee Relief Act			1980	Refugee-Parolee adjustments began
11/56-7/58	Hungarians paroled	2/70-3/80	Refugee-Parolees admitted	4/80	Refugee Act admissions began
1959	Hungarian adjustments began	1/59-3/80	Cubans paroled	1981	Refugee Act adjustments began
1966-80	Refugee conditional entrants	1967	Cuban adjustments began	4/80-10/80	Mariel boatlift
				1985-87	Mariel adjustments

NOTE: For the period 1946-56, admissions to lawful permanent resident status and initial admissions were the same. See Glossary for fiscal year definitions. Source: Tables 24, 28, and 32.

The ceiling for East Asia includes certain Vietnamese Amerasians, who enter the United States with immigrant visas. Although these aliens are immigrants rather than refugees, they are included in the refugee ceiling since they are eligible for refugee benefits in the United States. Only 809 Amerasians, including their family members, entered the United States in 1997. They are included in the immigrant rather than the refugee tables in the Statistical Yearbook. The Amerasian program is ending, since most of the eligible persons have already been identified and entered the United States.

#### Criteria for refugee status

During 1997, refugees were interviewed and approved for admission to the United States by officers in ten of the Service's thirty-nine overseas offices. To qualify for admission to the United States as a refugee, each applicant

must meet all of the following criteria: be a refugee as set forth in the Refugee Act of 1980; be among the types of refugees determined to be of special humanitarian concern to the United States; be admissible under the Immigration and Nationality Act; and not be firmly resettled in any foreign country. Spouses and minor children of qualifying refugees also enter the United States as refugees, either accompanying or following to join the principal refugee. Occasionally these family members gain refugee status after arriving in the United States; this was the case with 196 people in 1997.

#### Special program for applicants from the former Soviet Union (Table 22)

Beginning in 1990, the administrative processing of refugee applicants residing in the Soviet Union was shifted to the United States. The resulting change in the

**Table D**  
**Refugee Status Applications Filed and Approved, and Refugees Admitted, by Selected Nationality: Fiscal Year 1997**

Nationality	Refugee applications filed	Refugee applications approved	Refugee arrivals
<b>Total .....</b>	<b>122,741</b>	<b>77,600</b>	<b>69,276</b>
Yugoslavia .....	39,561	28,730	21,360
Bosnia-Herzegovina .....	38,381	27,840	21,357
Croatia .....	1,170	884	-
Other & unknown .....	10	6	3
Soviet Union, former .....	35,329	27,623	27,072
Vietnam .....	19,552	6,522	6,660
Cuba .....	9,102	1,860	2,911
Somalia .....	6,510	5,599	4,974
Iraq .....	4,573	3,289	2,679
Congo, Democratic Republic <sup>1</sup> ..	2,664	651	45
Iran .....	2,244	1,234	1,305
Liberia .....	1,620	893	231
Sudan .....	602	393	277
Other .....	984	797	1,762

<sup>1</sup> In May 1997 Zaire was formally recognized as the Democratic Republic of the Congo.

- Represents zero. Source: Tables 23 and 25.

application procedure created discontinuity with prior INS data on refugee applications. Applicants from the former Soviet Union are now required to submit an initial questionnaire to the State Department's Washington Processing Center (WPC) in Rosslyn, Virginia. The WPC establishes interview priority for applications based on information supplied on the initial questionnaires and schedules interviews in Moscow. On the day of their interview, applicants submit completed refugee applications to Service officers in Moscow. Since 1990, those applications have been counted as filed on the interview date. The 45,825 applications pending in Moscow at the end of fiscal year 1989 were administratively closed and forwarded to the WPC to receive a priority and an interview date; therefore, the count of pending applications declined by this number between 1989 and 1990. The 45,825 applications were added to the pool of initial questionnaires submitted to the WPC beginning in 1990 (Table 22).

The number of initial questionnaires received at the WPC provides only a rough indication of the potential number of applications, because a questionnaire may include more than one person, and some potential applicants submit duplicate questionnaires. Some questionnaires never result in formal applications for refugee status, because they might exceed the yearly admissions allocated for the

former Soviet Union. During fiscal year 1997, the WPC received 25,416 questionnaires and scheduled 53,436 persons for Moscow interviews. About 19 percent of these potential applicants did not appear for their interviews. Applicants from the former Soviet Union who were in other countries at the start of fiscal year 1990 are still allowed to submit applications for refugee status directly to other INS refugee processing posts. Only 49 Soviet applications were filed outside of Moscow in 1997, including 18 spouses and children who received refugee status in the United States.

## Data Overview

### Applications (Tables D, 22, 23)

The number of applications for refugee status filed with INS decreased by 21 percent from 1996 (155,868) to 1997 (122,741) (Table 22). The leading countries of chargeability of the applicants were Bosnia-Herzegovina with 31 percent of the applications, the former Soviet Union (29), Vietnam (16), Cuba (7), and Somalia (5) (Table D and Table 23). Among those countries of chargeability from which at least 600 applications were filed in 1997, the largest percentage increases over 1996 were in applications filed by nationals from the Democratic Republic of the Congo (formerly Zaire) (from 65 to 2,664), Liberia (310 to 1,620), and Bosnia-

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Herzegovina (19,242 to 38,381); the largest percentage decreases were in applications filed by nationals of Vietnam (from 69,802 to 19,552) and Somalia (14,383 to 6,510). The large increase in number of applications filed by nationals of Cuba (from 1,566 to 9,102) was due to a reporting procedural change that took place in the INS Mexico City district. Beginning in 1997, offices in Mexico City district adopted a reporting guideline that was consistent with all other overseas offices and reported their refugee processing workload in terms of number of individuals instead of cases processed.

### **Approvals** (Tables D, 22, 23, 24)

The number of refugees approved for admission to the United States increased from 74,491 in 1996 to 77,600 in 1997 (Table 24). The leading countries of chargeability were Bosnia-Herzegovina with 27,840 approvals, the former Soviet Union (27,632), Vietnam (6,522), Somalia (5,599), and Iraq (3,289) (Table D and Table 23). These five countries accounted for 91 percent of all approvals in 1997. The number approved from the former Soviet Union dropped for the fifth straight year, reflecting the downward trend in applications. The number of refugees approved from Vietnam declined by 24 percent and from the East Asia geographic region declined by 43 percent in 1997, reflecting a substantial drop in the proportion of successful applications. All Vietnamese refugee processing centers outside Vietnam were closed by the end of 1997. Residents of former refugee camps were asked to return to Vietnam. Their cases are processed through a special program called the Resettlement of Vietnamese Returnees (ROVR) in Vietnam. The ROVR program adjudicated 607 cases and approved 565 cases in 1997.

### **Dependents**

Refugee figures include spouses and children who are cleared to join principal refugees already in the United States, and they count against the annual ceiling. Because of these family reunification cases, the data continue to show refugees being approved and arriving for some time after active refugee processing has ended for nationals of certain countries. Most of the refugee flow from Eastern Europe in fiscal year 1997, other than from the former Yugoslavia, was family reunification cases. Most of the caseload from Afghanistan and Ethiopia also fell into this category. Overall, 3.1 percent of the applications and 3.6 percent of the approvals were family reunification cases.

### **Arrivals** (Tables 24, 25)

Refugee arrivals into the United States declined to 69,276 in 1997 from 74,791 in 1996 (Tables 24 and 25).<sup>2</sup> The decline was largely attributed to the decrease in Vietnamese refugee arrivals. Arrivals from Bosnia-

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## ***More than 69,000 refugees arrived in the United States during 1997.***

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Herzegovina increased significantly (78 percent) against an overall declining trend. The former Soviet Union, former Yugoslavia, Vietnam, and Somalia were the leading countries for refugee arrivals in 1997, comprising 87 percent of the total. The time lag between approval of a refugee application and the refugee's arrival in the United States may be several months or more. After approval, refugees must undergo health and security clearances, have sponsorship and placement arranged, and in some cases go through orientation and English language training. This time lag accounts for the discrepancies between approval and arrival figures in any given year.

### **Adjustment to permanent resident status**

(Tables 5, 26, 35, 36)

Under the Refugee Act of 1980, refugees are eligible to adjust to lawful permanent resident status, exempt from any limit, after 1 year of residence in the United States. When they adjust status, their date of admission is recorded as their date of entry as refugees, so that the length of time spent in refugee status is counted toward the residency requirement for naturalization. For all refugees who adjusted status in 1997, the median length of residence in the United States was about 2 years. This analysis and others indicate that refugees tend to adjust soon after they become eligible. Nearly 79 percent of the 1997 refugee-adjustment cohort entered the United States in 1995-96.

The number of refugees adjusting to lawful permanent resident status decreased by 14 percent from 1996 (118,528) to 1997 (102,052) (Table 5). The leading countries of birth for these refugees were: the former Soviet Union (30,101), the majority of whom were from the republics of the Ukraine (11,930), Russia (6,671), Uzbekistan (2,845), and Belarus (2,452); Cuba (30,039); Vietnam (22,291); the former Yugoslavia (6,951), most of whom were from Bosnia-Herzegovina (6,013); and Somalia (3,428). These countries accounted for 91 percent of all refugee adjustments. The number of refugees adjusting status from both Somalia and Cuba increased significantly from 1996, 119 percent and 36 percent, respectively. Adjustments decreased significantly for refugees from the former Soviet Union (27 percent) and Vietnam (25 percent).

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<sup>2</sup> Refugee arrival data are from the Bureau for Refugee Programs, Department of State. See Data Collection section.

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The leading states of residence for refugees (and asylees) adjusting status in 1997 were Florida (28,672), California (23,046), New York (13,638), and Washington (6,305) (Table 36). These four states accounted for 64 percent of all refugee and asylee adjustments. Nearly 26 percent of all refugees and asylees who adjusted status in 1997 live in Florida and about 21 percent in California. The leading metropolitan areas of residence for these refugees and asylees were Miami, FL (23,857), New York, NY (12,613), and Orange County, CA (4,306) (Table 35).

## Understanding the Data

### Data Collection

The Immigration and Naturalization Service collects data on refugees at three points during processing: when they apply for refugee status abroad; when they are admitted to the United States; and when they adjust to lawful permanent resident status. The INS overseas offices collect data on applicants for refugee status. Each office completes INS Form G-319, Report of Applicants for Refugee Status under Section 207, which reports refugee casework by the country to which each applicant is chargeable.

Since 1987, the INS's Nonimmigrant Information System has collected data on refugee arrivals. The system compiles refugee arrival data by country of citizenship on a monthly basis from INS Form I-94, Arrival/Departure Record (see Nonimmigrants section). Since it records each entry of a person with nonimmigrant status, a refugee traveling abroad and returning to the United States may be counted more than once during a fiscal year.

Both the Bureau for Refugee Programs (Department of State) and the Office of Refugee Resettlement (Department of Health and Human Services) collect data

on refugees admitted to the United States. The Bureau for Refugee Programs collects data through the Intergovernmental Organization for Migration, which is the agency responsible for arranging the transportation of refugees to the United States. The Office of Refugee Resettlement, responsible for the disbursement of funds for refugee benefits, collects detailed data on the characteristics of refugees at the time they are initially admitted to the United States.

The Immigration and Naturalization Service collects data on refugees adjusting to lawful permanent resident status as part of its immigrant data series gathered by the Computer Linked Application Information Management Systems (CLAIMS). The data collected include demographic variables as well as immigration-oriented variables (see Immigrants section). This is the only stage in the refugee process where the INS collects detailed information about the characteristics of refugees.

### Limitations of Data

Prior to the 1996 edition, refugee arrival data presented in the *Statistical Yearbook* were derived from the INS's Nonimmigrant Information System (NIIS). However, since this system records each entry of a person with nonimmigrant status, a refugee traveling abroad and returning to the United States may be counted more than once during a fiscal year. After careful consideration of the reporting requirements and limitations of data collected in the NIIS, it was decided that the *Yearbook* would present refugee arrival statistics from the Bureau for Refugee Programs, Department of State. This source counts the actual number of refugees arriving in the United States in each fiscal year. Therefore, any comparison of refugee arrival data from the 1995 or earlier editions of the *Yearbook* to 1996 or later editions must be made with caution.

Refugee detailed tables are located at the end of the Asylees text section